

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14589, of 65 K Street Associates Limited Partnership, pursuant to Sub-section 8207.2 (3108.1, DCMR 11) of the Zoning Regulations for a special exception under Sub-section 7203.6 (2108.1, DCMR 11) to allow a twenty-five percent reduction in the required off-street parking requirements for the conversion of an existing building from a motion picture laboratory and office to an office building in a C-M-3 District at premises 65 K Street, N.E., Square 675, Lot 832).

HEARING DATE: April 8, 1987

DECISION DATE: April 8, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The site is located on the southwest corner of the intersection of First and K Streets, N.E. and is known as 65 K Street, N.E. It is located in the C-M-3 District.

2. The site is 34,466 square feet in area. The site is improved with a two-story plus basement building and an existing paved parking lot which contains 48 parking spaces, one loading dock and one service area. The building is now vacant and was formerly used as an office and film processing laboratory.

3. Pursuant to Sub-section 8207.2 (3108.1 DCMR 11) the applicant is seeking a special exception under Paragraph 7203.6 (2108.1 DCMR 11) to allow a twenty-five percent reduction in the required off-street parking requirements for the conversion of the existing building from a motion picture laboratory and office to office space on both floors and basement of the site.

4. The applicant intends to rehabilitate the existing structure. No exterior changes are planned except for the addition of handicapped access ramps and some landscaping of the site.

5. Applicant has leased the site to the District of Columbia for office use. The District intends to use the building to house various components of the D.C. Department of Public Works (DPW) including the Transportation Systems Administration, the Bureau of Traffic Adjudication, the Insurance Branch of the Bureau of Motor Vehicle Services and the Office of Public Space Adjudication.

6. The D.C. Government will place approximately 125 employees on the site and will operate from the hours of 8:15 A.M. to 4:45 P.M.

7. Under the Zoning Regulations, 58 off-street parking spaces would be required. Applicant intends to maintain the existing 44 spaces and the service and loading areas. Applicant cannot provide the additional 14 parking spaces on its property because of the existing building and the limited size of its lot.

8. The building abuts a minor arterial and a local street and will not create any adverse traffic conditions.

9. By memorandum dated April 7, 1987, the Department of Public Works (DPW) reported that with the provision of 44 parking spaces, the applicant will meet adequately the employee parking demands and that area parking lots, adequate on-street parking and proximity to public transit will accommodate anticipated visitor parking requirements. DPW further reported that because of these factors and the estimated modal split for the area, the proposal will have minimum adverse impact on the local street system. The DPW has no objections to the proposal.

10. By letter dated April 2, 1987, Advisory Neighborhood Commission (ANC) 2C reported its support. The ANC is of the opinion that the application meets the standards for the special exception. The Board concurs with the reasoning and recommendation of the ANC.

11. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires substantial evidence that the applicant has complied with the requirements of Sub-section 8207.2 and Sub-section 7203.6 of the Zoning Regulations.

Sub-section 7203.6 authorizes the Board to reduce the amount of parking spaces, required for nonresidential uses by Section 7202.1 provided that:

7203.61 The amount of required parking spaces shall not be reduced by more than twenty-five percent, provided that for a use which is in the category of "All Other Uses" in the table in Sub-section

7202.1, the amount of required parking spaces shall not be reduced by more than fifty percent.

The Board shall give consideration to the factors set forth in Paragraph 7203.62 (1) through (25) inclusive of the D.C. Zoning Regulations.

The Board concludes that the applicant has met its burden of proof. The building is located in a area well suited for its purpose and will not have an adverse impact upon the neighborhood. The expected number of employees is reasonable for the proposed use. Sufficient parking, commercial and public, exists in the immediate area. The area is well served by Metrorail and bus lines. The Board notes that the DPW has no objection to the application.

The Board further concludes that granting the proposed relief will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan. The Board concludes that it has accorded to Advisory Neighborhood Commission (ANC) 2C the "great weight) to which it is entitled. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 5-0 (Charles R. Norris, Paula L. Jewell, William F. McIntosh, Maybelle T. Bennett and Carrie L. Thornhill to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: APR 24 1987

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.